

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

ILLINOIS BELL TELEPHONE COMPANY	:	
(Ameritech Illinois)	:	
	:	
Request for Special Permission to Place	:	Docket No. 01-0586
Into Effect On Less Than 45 Days Notice	:	
Interim Compliance Tariff Pursuant	:	
To Section 9-201(a)	:	

ORDER

By the Commission:

On September 10, 2001, Illinois Bell Telephone Company, doing business as Ameritech Illinois ("AI" or "Company") filed a verified Petition for Special Permission ("Petition") seeking authority to place into effect certain tariff sheets in its Ill.C.C. No. 20, establishing the interim provision of new unbundled network elements platform (UNE-P), enhanced extended loop (EEL), and reconfiguration of special access arrangements to unbundled network element combinations, on less than 45 days' notice. The sheets for which such special permission was requested, as attached to the Petition (and described in the Petition and in this Order as the "Interim Compliance Tariff"), are Ill.C.C. No. 20, Part 19, Section 22, Original Sheet Nos. 1-5.

The Petition recites that the purpose of the Interim Compliance Tariff is to enable AI, pursuant to Sections 9-201 and 13-501 of the Public Utilities Act ("Act"), to immediately (i) begin accepting and processing orders for the new unbundled network element combinations identified in the Draft of the Proposed Ameritech Illinois 271 Amendment found in Schedule SJA-4 filed by AI with the Commission in March 2001 in Docket No. 00-0700 (referred to in the Petition and in this Order as the "I2A Combinations"), (ii) to include with the Company's unbundled local switching with shared transport ("ULS-ST") offering, as described in Part 19, Section 21 of Tariff Ill.C.C. No. 20, a capability for the transmission of intraLATA toll calls originating from a purchasing carrier's retail end-user customers who are being provided local exchange service using ULS-ST, where that purchasing carrier is also the presubscribed intraLATA toll carrier, and (iii) implement interim tariff terms and conditions, to the extent such are necessary, reflecting the Company's obligation to permit CLECs to reconfigure qualifying special access circuits to UNE loop-transport combinations in a manner consistent with the Supplemental Order Clarification issued by the Federal Communications Commission ("FCC") in CC Docket NO. 96-98. Petition, pp. 1-2.

The Petition further recites that the Interim Compliance Tariff is intended to enable the Company to immediately begin accepting and filling CLEC orders for the I2A Combinations, pending the effectiveness of certain compliance tariff amendments (hereinafter "Compliance Tariff Amendments") the Company is proposing under Section 13-801 of the Act, which became effective as a part of Public Act 92-22. Petition, p. 4. The Petition states that by proposing the Interim Compliance Tariff, AI does not intend to delay in any way the implementation of the Compliance Tariff Amendments, and alleges that "the Interim Compliance Tariff is necessary only for the short term. Accordingly, the Interim Compliance Tariff will expire upon the earlier of (i) December 31, 2001; or (ii) the effectiveness of Compliance Tariff Amendments." Petition, p. 5.

The Commission has reviewed the tariff sheets attached to the Petition and has determined that, with the exception of the expiration of the tariffs on December 31, 2001, good cause exists to place the rate sheets into effect on less than 45 days' notice. While the Commission appreciates the need for an expeditious determination of the issues surrounding the Company's compliance with Section 13-801 of the Public Utilities Act, it is patently unreasonable for AI to attempt unilaterally to create what is in effect a three-month deadline for Commission action on issues of such complexity and importance. Special Permission is thus granted for the filing of rate sheets on less than 45 days' notice that are substantially in the form of the rate sheets attached to the Petition in all respects except one. In order to qualify for the special permission afforded by this Order, the fourth paragraph on the Company's Ill.C.C. No. 20, Part 19, Section 22, Original Sheet Nos. 1, must be amended by making the changes reflected in the following:

This Part 19, Section 22, Interim Provision, of New UNE-P, EEL, and Reconfiguration of Special Access Arrangements to UNE Combinations, will automatically expire and the offerings made hereunder shall no longer be available on and after the earlier of (i) March 31, 2002 ~~December 31, 2001~~, or (ii) the effective date of the tariff amendments filed under Advice No. 7509 to comply with Section 13-801 of the Illinois Public Utilities Act or such revised tariff amendments as may be filed to comply with Section 13-801 under a successor Advice Letter(s).

This authority does not waive any of the requirements of the Commission's published rules relative to the construction and filing of tariff publications, nor any of the provisions of the Public Utilities Act except as stated herein.

This permission is void unless the rate sheets issued hereunder are filed with the Commission within thirty days from the date hereof. Such rate sheets must bear appropriate notation making reference to this authority.

By order of the Commission this 18th day of September, 2001.

Chairman